

**Westford Fire Department
Fire alarm Rules and Regulations
Fire Protective Systems Malfunction**

Effective Date May 9, 2009

The Board of Selectman and the Fire Chief were authorized to adopt and publish rules and regulations governing the installation of fire alarm systems in residential buildings with six (6) or more living units and in commercial buildings approved by Town meeting unanimously voted May 8, 1993. The following Rules and Regulations are for Fire Protective Systems Malfunction and Fire Department Response.

Section 1.0 Fire Alarm Activation

Town of Westford Fire Department upon notification of any fire alarm activation shall respond to the fire alarm and notify the person or persons listed in the registration form as having the responsibility for securing said fire alarm system. No Person or Persons shall reset a fire alarm prior to the arrival of the Westford fire Department.

Should a responsible party for securing and resetting any fire protective system fail to respond when notified of its activation within a reasonable time period the fire officer in charge shall have the property checked thoroughly to the best of their ability. In the opinion of the fire officer in charge the cause for the fire alarm is readily apparent may attempt to have the system reset.

Any dwelling, building or place required by law to maintain a fire protective system whereby said fire alarm system fails to function and cannot be returned to service within a reasonable time and if in the opinion of the fire chief or his designee the absence of a properly functioning fire alarm system may pose a threat to life and property, the fire chief or his designee may require a fire department detail of one or more firefighters which may include fire suppression equipment. Costs associated with the fire department shall be the responsibility of the property owner, tenant or lessee of said premises.

Section 2 Fire Protective system malfunctions - penalty

Any fire protective system malfunction, as defined herein, the fire chief or his designee may assess a fine against a fire alarm system owner for each false alarm occurring due to a malfunction in any twelve (12) month period according to the following schedule:

- | | |
|--------------------------------------|-----------|
| A. first through third malfunction | no charge |
| B. fourth through sixth malfunction | \$150.00 |
| C. seventh and eighth malfunction | \$200.00 |
| D. each malfunction after the eighth | \$300.00 |

A fire alarm system in any dwelling, building or place required by law to maintain a fire alarm malfunctions repetitively than in the opinion of the fire chief or his designee may decide not to reset the fire alarm system (leaving horns / strobes sounding) than the property owner, tenant or lessee of said premises will be notified.

1. For the purposes of these Rules and Regulation, a malfunction shall be defined but not limited to the following:
 - a. The operation of a faulty smoke or heat detection device
 - b. Faulty control panel or associated equipment
 - c. A water pressure surge in automatic sprinkler equipment
 - d. Accidental operation of an automatic sprinkler system
 - e. Action by any person or persons causing accidental activation of the fire alarm system without a permit

The property owner, tenant or lessee of said premises will be billed once a month for the previous months malfunction activity after a third malfunction occurs in any twelve (12) month period.

Section 3 Failure to Restore or Repair Fire Protective Systems

Failure to correct or abate conditions to restore or repair fire protective systems may result in civil and or criminal penalties in accordance with Chapter 148 of the Massachusetts General Laws and 527 Code of Massachusetts Board of Fire Prevention Regulations.

Section 4 Shutting Off, disconnection of fire protection devices

In accordance with Massachusetts General Laws Chapter 148:27A, no person shall shut off, disconnect, obstruct, remove or destroy or cause or permit to be shut off, disconnected, obstructed, remove or destroy any fire protection devices or systems without first procuring a written permit so to do from the head of the fire department.

Section 5 Hearings

Any person receiving an order or notice of violation pursuant to the provisions of these rules and regulations may contest said order or notice at a hearing before the Town of Westford Municipal Hearing Officer. All demands for a hearing must be made in writing and delivered in person or by mail no later than ten (10) days following receipt of the order or notice of violation. Any person requesting a hearing shall be given written notice of the date, time and place of the hearing. Such hearing shall be held not less than fifteen (15) days, nor more than thirty (30) days from the date of the mailing notice, provided, shall the municipal hearing officer grant upon good cause shown any reasonable request by any interested party for postponement or continuance. A person wishing to contest an order or notice of violation shall appear at the hearing and shall have the right to present evidence and cross examine witnesses.

1. Request for a Hearing

Town of Westford Fire Department
C/O Fire Violation
P.O. Box 296
Westford MA 01886

Section 6 Failure to Pay Fines

Failure to Pay Fines may result in civil and or criminal penalties in accordance with Chapter 148 of the Massachusetts General Laws and 527 Code of Massachusetts Board of Fire Prevention Regulations.

In accordance with the Town of Westford By-Laws unpaid fines shall result in the building owner, tenant or lessee unable to obtain any permits from the Town of Westford for the building or property where such violation occurred.

Section 7 Liability Invalidity

The installation and maintenance of fire alarm systems permitted by these rules and regulations shall be made at no cost to the town of Westford.

No liability whatsoever is assumed by the town of Westford for the failure of such fire alarm systems or monitoring facilities or for failure to respond to fire alarms, or for any other act or omission in connection with such fire alarm systems. Each fire alarm system permit holder shall be deemed to hold and save harmless the town of Westford, its departments, officers, agents and employees from liability in connection with the permit holders fire alarm system.